An Introduction To Alberta Land Titles

Alberta
ATTORNEY GENERAL

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Cover: Alberta Energy and Natural Resources photograph.

Acknowledgements

My thanks to the many individuals in both Alberta Land Titles Offices whose comments and criticisms helped in the creation of this booklet. I hope that both our staff and our customers will find it useful.

A.L. Aylwin
Deputy Registrar
North Alberta Land Registration District

November, 1984

Land Titles Organization and Purpose

Alberta is divided into two land registration districts under the jurisdiction of the province's Attorney General. The South Alberta Land Registration District Office in Calgary is responsible for the land from the Alberta/U.S. border up to and including Township 34 (just south of Innisfail). The North Alberta Land Registration District Office in Edmonton is responsible for all land north of Township 34 up to the Alberta/Northwest Territories boundary.

A Land Titles Office examines all documents submitted for registration which affect land in its district. After examination, the office either accepts the documents for registration or rejects them if they are not in registrable form. When they are accepted for registration, the office usually issues a new title or endorses an existing one with concise registration details. In addition to document registration, each office provides title, document and survey plan searches to the public. It is also responsible for the security of the original titles and documents filed in its building. The staff in each Land Titles Office ensure that the examination and registration of documents, the issuance of titles, the provision of searches and statements and the maintenance of security of land titles records are performed with speed, accuracy and courtesy.

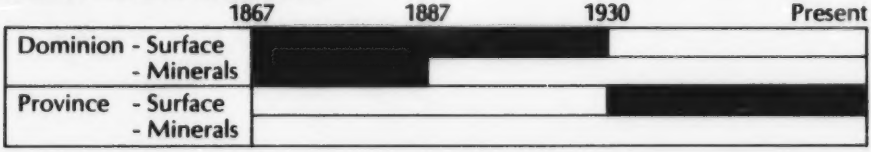
The Settlement of Alberta

In 1670, King Charles II of England granted a charter to the Hudson's Bay Company, giving it extensive rights to ownership, trading and government in Rupert's Land. Rupert's Land extended from east of Winnipeg to the Rocky Mountains. In 1867, the Dominion of Canada was formed, and in 1870 the Company surrendered its land to the Dominion. The land then became known as the North-West Territories. In exchange for the surrendered land, the Company was entitled to one-twentieth of the "fertile belt" (generally speaking, the area south of the North Saskatchewan River). The Dominion Government then arranged for the new Territories to be surveyed into four-sided (quadrilateral) townships. Each township contained 36 sections of approximately 640 acres (259 hectares) or one square mile each. The sections were further divided into quarter-sections, each containing about 160 acres (64.7 hectares). For its one-twentieth share, the Company usually chose Section 8 and the southeast, southwest and northwest quarters of Section 26 from every township located in the fertile belt. As townships were surveyed and the surveys were confirmed at Ottawa, the Company was sent Notifications (official lists of the land it was entitled to). The ownership of the listed land was transferred to the Company under the Dominion Lands Act, usually without any Patent documents being issued. To encourage settlement and railroad construction, the Dominion Crown (Government) also gave land to settlers and to railway companies. This was done by issuing patents or grants which transferred ownership of land from the Crown to individuals or companies, thereby making it freehold land.

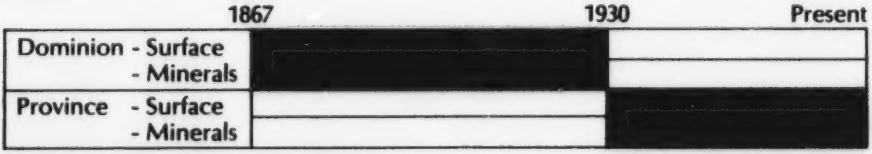
Up to 1887, the Dominion Crown granted mineral rights with surface rights to land. After that, no mineral grants were issued. In 1905, Alberta became a province and, in 1930, the power to grant both surface and mineral rights was transferred from the Dominion Government to the Government of Alberta.

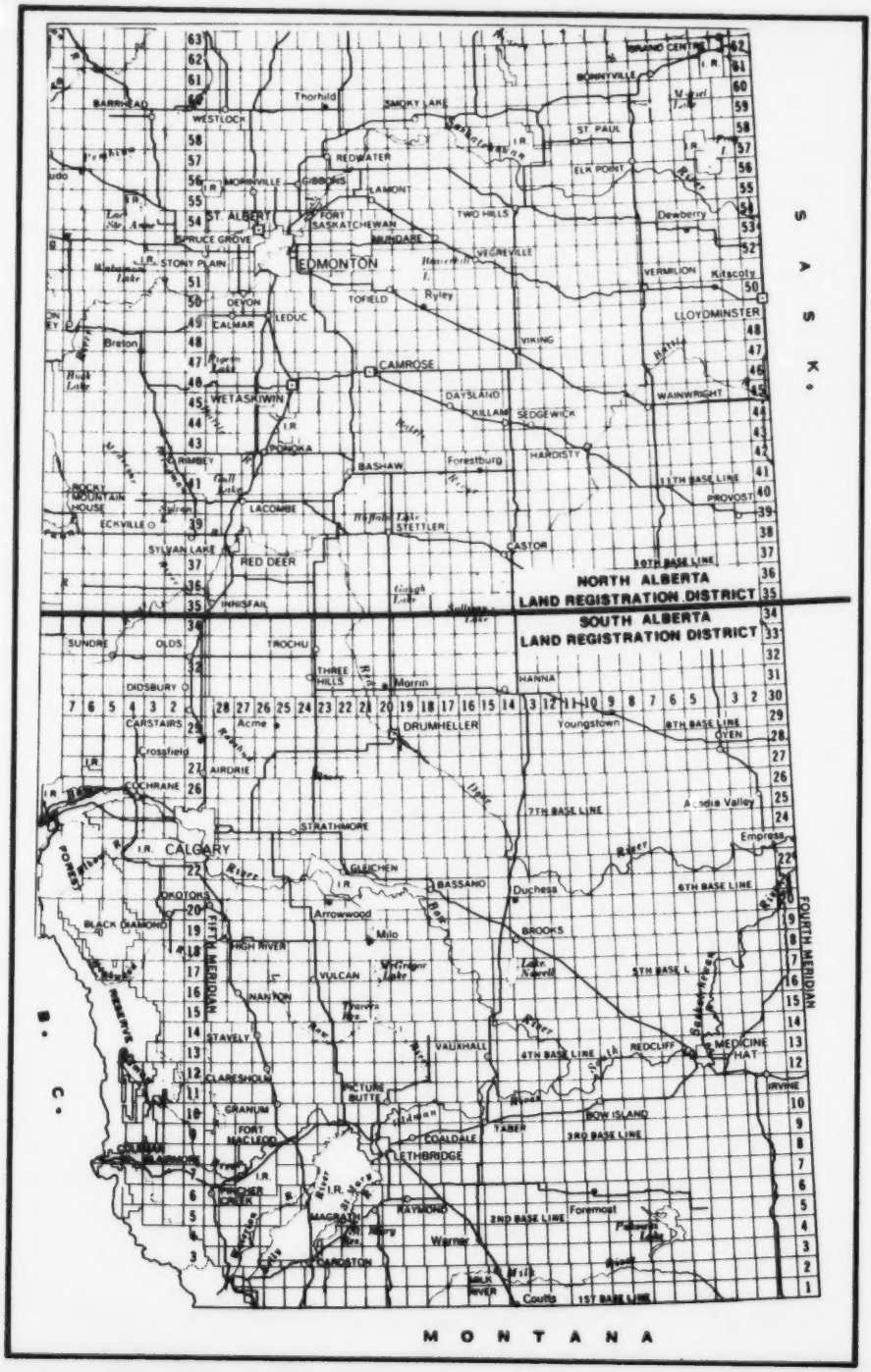
Alberta now leases but does not sell any of the mineral rights which it owns. Surface rights, however, may be acquired from the province by application to the Department of Energy and Natural Resources. Crown land is conveyed from the province to the new owner by way of notification or transfer.

Patents, Grants or Notifications



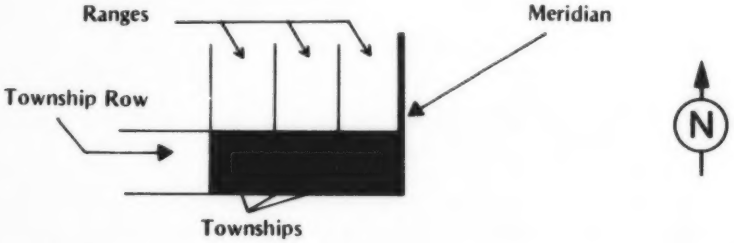
Leases



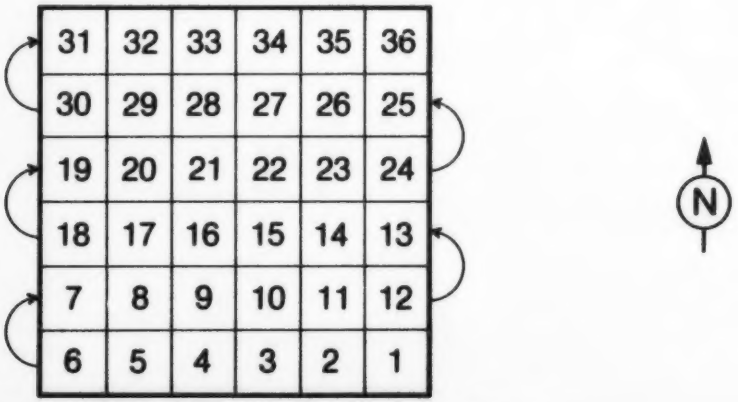

NORTH ALBERTA
LAND REGISTRATION DISTRICT
SOUTH ALBERTA
LAND REGISTRATION DISTRICT
EDMONTON
CALGARY
LETHBRIDGE
MEDICINE HAT
RED DEER
DRUMHELLER
CAMROSE
LLOYDMINSTER
WETASKIWIN
ST ALBERT
FORT SASKATCHEWAN
SPRUCE GROVE
LEDUC
STONY PLAIN
WESTLOCK
BARRHEAD
REDWATER
ELK POINT
ST PAUL
BONNYVILLE
TWO HILLS
VEGREVILLE
VERMILION
WAINWRIGHT
PROVOST
CASTOR
STETTLER
HANNA
OYEN
BROOKS
STRATHMORE
CROSSFIELD
AIRDRIE
COCHRANE
CARSTAIRS
OLDS
SUNDRE
INNISFAIL
OKOTOKS
HIGH RIVER
VULCAN
NANTON
STAVELY
CLARESHOLM
GRANUM
FORT MACLEOD
PICTURE BUTTE
COALDALE
TABER
RAYMOND
MAGRATH
WARNER
COUTTS
FOREMOST
BOW ISLAND
REDCLIFF
VALLEYVIEW
DUCHESS
EMPRESS
IRVINE
10TH BASE LINE
9TH BASE LINE
8TH BASE LINE
7TH BASE LINE
6TH BASE LINE
5TH BASE L
4TH BASE LINE
3RD BASE LINE
2ND BASE LINE
1ST BASE LINE
FIFTH MERIDIAN
FOURTH MERIDIAN
SASK.
B. C.
MONTANA

Basic Surveys in Alberta

While some of Alberta is still unsurveyed, most of the completed surveying was done by the Third System of Township Surveys. Under this system, land is first designated as being west of either the 4th meridian, 5th meridian or 6th meridian. These meridians are lines of longitude running north and south through Alberta. The 4th meridian forms the border between Alberta and Saskatchewan, the 5th meridian runs through Stony Plain and Calgary and the 6th meridian passes through Debolt and Jasper. Between the meridians are vertical columns called ranges, which are numbered in order from east to west of each meridian. Townships are horizontal rows crossing meridians and ranges. The row adjacent to the U.S. border is called Township 1, the next row northward is Township 2 and so on up to Township 126 (the row adjacent to the Northwest Territories border). The word township is also used to describe the area formed when a township row intersects with a range. This kind of township is about six miles (9.7 kilometres) square and contains 36 sections, each about one mile (1.6 kilometres) square. The 36 sections within a township are numbered in snake-like fashion from the southeast corner of the township.

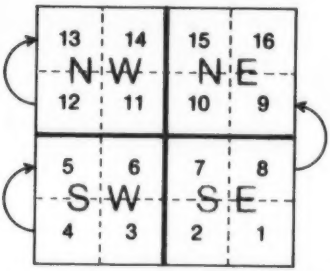


Meridians, Ranges and Townships



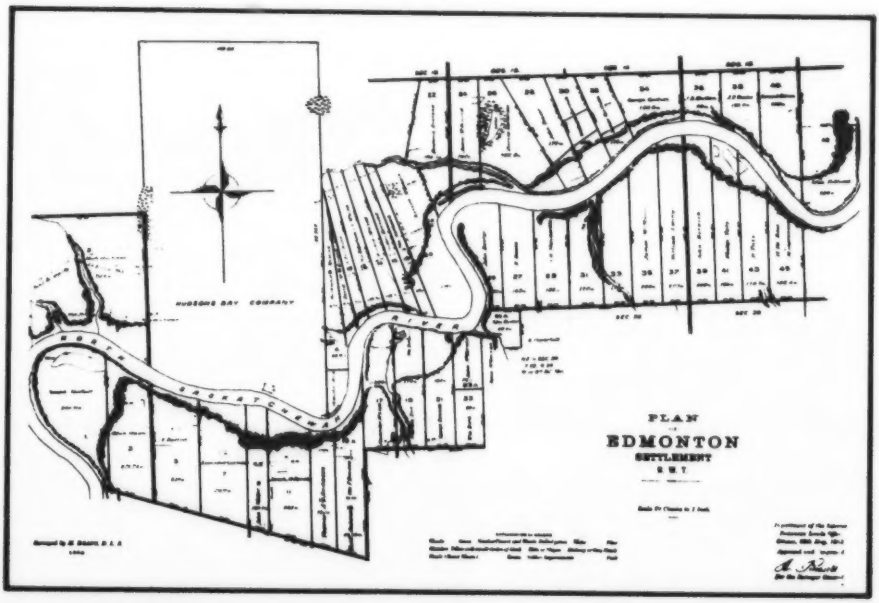
Sections within a Township, showing numbering system

Land other than any which has been subdivided is legally described according to its geographical location, by its meridian, range, township, section and quarter-section. Sometimes, there is also a reference to a Legal Subdivision (or L.S.D.), a term meaning a particular quarter of a quarter-section.



Numbering of Legal Subdivisions within a Section

There are a few exceptions to this survey system, such as Settlement Plans. These surveys cover comparatively small areas and are made to accommodate local settlements. They have no fixed pattern, but very often the parcels are rather long, narrow lots fronting onto a river or lake. Settlements are generally given a local name such as Edmonton Settlement or Lobstick Settlement.



Settlement Plan

For land which has been subdivided, as in a city, town, village or acreage subdivision, the former legal description (by meridian, range, township, section and quarter-section) is changed to a new legal description defining the land by Plan number, Block number and Lot number. Units in a condominium are referenced by Plan number and Unit number only.

Before being submitted to a Land Titles Office, a subdivision plan must be approved by several authorities such as the local municipal body. The surveys staff at Land Titles then do a final examination and assign a plan number to it. Plan numbers are now seven digits, with the first two digits designating the year and the third digit designating the Land Titles Office, Calgary being number 1 and Edmonton being number 2. (Thus, the plan numbered as 7510001 was the first plan registered in 1975 by the Calgary Land Titles Office.)

Plans known as Filed Plans are illustrations that do not affect existing titles. However, a document based on a filed plan may be registered and the registration will incorporate the filed plan into the legal description on the Certificate(s) of Title.

Occasionally, it may even be necessary for land to be given a metes-and-bounds description. This is a means of describing land by measurement, bearings and boundaries which would require the approval of the Land Titles surveys section.

THE SOUTH EAST QUARTER OF SECTION 30

TOWNSHIP 52

RANGE 7

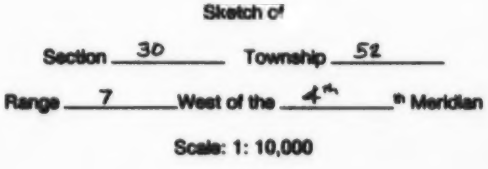
WEST OF THE 4TH MERIDIAN

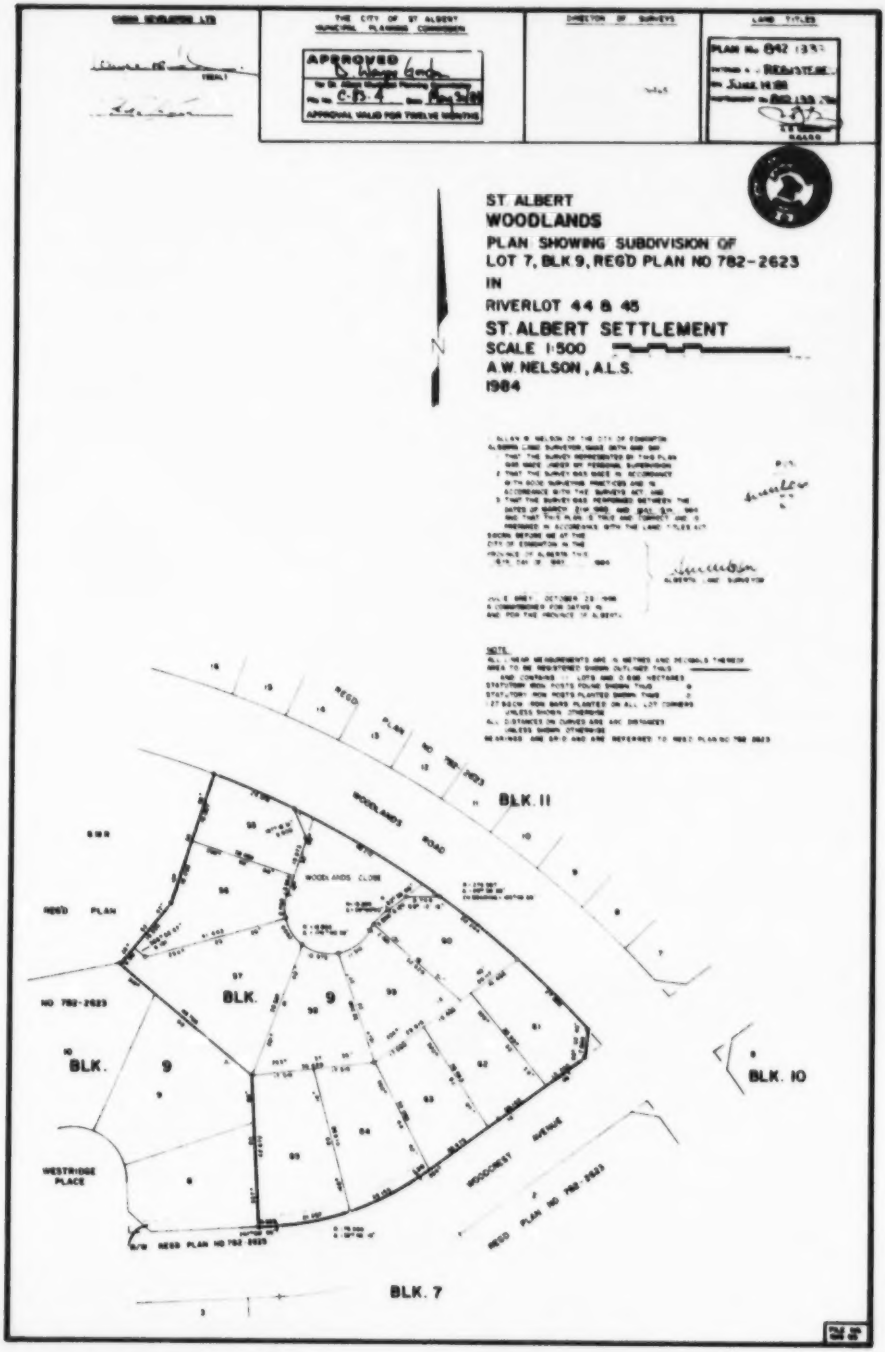
CONTAINING 65.2 HECTARES (161 ACRES), MORE OR LESS

EXCEPTING THEREOUT
ALL THAT PORTION DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH EAST CORNER OF THE SAID QUARTER SECTION; THENCE NORTHERLY ALONG THE EAST BOUNDARY 305 METRES; THENCE WESTERLY AND AT RIGHT ANGLES TO THE EAST BOUNDARY 259 METRES; THENCE SOUTHERLY AND PARALLEL TO THE EAST BOUNDARY TO THE SOUTH BOUNDARY; THENCE EASTERLY ALONG THE SOUTH BOUNDARY TO THE POINT OF COMMENCEMENT, CONTAINING 7.90 HECTARES (19.52 ACRES) MORE OR LESS

EXCEPTING THEREOUT ALL MINES AND MINERALS.

Metes-and-Bounds Description

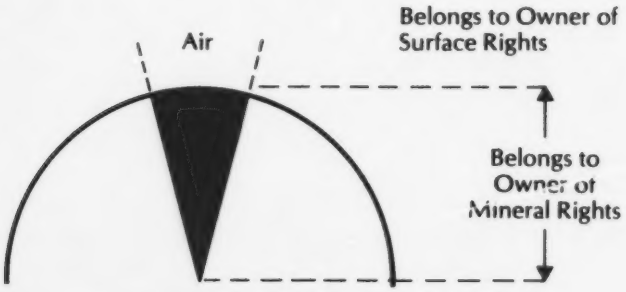




Typical Subdivision Plan

Surface Rights and Mineral Rights

The word land is usually used to refer to the surface of the earth. In a legal sense, however, it refers to that which extends from the centre of the earth to the outer edge of the atmosphere. This is commonly referred to as the "heaven to hell" concept.



"Heaven to Hell" Concept

Someone who owns surface rights to land owns not only the surface but also the air above it (subject to the rights of others, such as airlines) and any sand, gravel, peat, clay or marl which can be excavated by surface operations. However, surface rights do not include ownership of minerals. Someone who owns mineral rights to land may own one specific mineral, several specified minerals or all of the minerals (except gold and silver which, with few exceptions, are the property of the Crown). If the land described on a certificate of title is surface only, the legal description will be followed by a "mineral reservation," a phrase such as "excepting thereout all mines and minerals." If the title includes both surface and minerals, it will not have a mineral reservation. If the title is for minerals only, they will be named in a phrase like "all coal, petroleum and natural gas" or "all mines and minerals."

As minerals represent a great deal of the wealth of this province, it is very important that their ownership be clearly defined. For this reason, the Land Titles Offices are required to issue Mineral Certificates before registering any dispositions (transfers, mortgages or leases of mineral interests). A Mineral Certificate certifies precisely what minerals are owned in a specific parcel of land and by whom, on a specific date, and what mines and minerals are shown in the disposition.

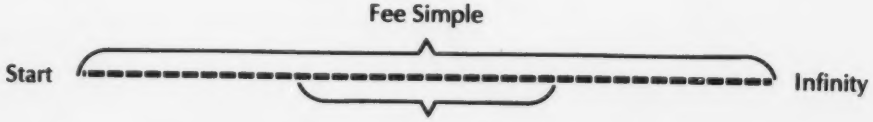
Most titles which previously included both surface and minerals have now been separated into "surface only" titles and "minerals only" titles.

Land Law and Land Ownership in Alberta

Land law in Alberta is based on the laws of England prior to Confederation. Since then, it has been modified by legislation passed by the governments of Canada and Alberta. Further changes have resulted from judicial rulings in court cases in Alberta, other provinces and even other countries. There are a great many federal, provincial and municipal laws which can affect land transactions or land use, the main one being the Alberta Land Titles Act.

Except by the Crown, ownership of land is never absolute. The nearest thing to absolute ownership of land by individuals -- the greatest interest they can have -- is called an estate in fee simple. Having that means that the individual's rights to the land are subject only to restrictions which may be applied by government for the greater good of the municipality, province or Dominion (for example, expropriation of private property for highway building purposes). Lesser interests in land include life estates (where an individual is granted ownership only for the duration of a specific person's lifetime) and leasehold estates (where an individual is granted ownership for a stipulated number of years).

A person may be the sole owner of a parcel of land. Alternatively, a person may be either a joint tenant or a tenant-in-common with one or more other persons. Under joint tenancy, there is the right of survivorship. This means that if one joint owner dies, the surviving joint tenant(s) automatically acquire the deceased's interest in the land. When a tenant-in-common dies, that person's share in the land goes to his heirs, not to the surviving tenants. If a person wants to be a joint tenant in a parcel, that fact must be stated on the transfer document and on the title, otherwise it becomes a tenancy-in-common.



Ownership of Estates in Land

Land Conveyancing Systems

Most countries use one of three basic systems for land tenure (ownership) and transfer. These are:

1. Private Conveyancing -- The ownership of land must be proved by long complicated instruments (documents) which are kept by the owner. Any person buying the land, therefore, will require the seller to provide these documents going back over as many years as necessary to prove ownership of the land.

2. Deeds Registration -- All deeds have to be sent to a central registry office which keeps them and indexes them under the name of the grantee or purchaser. The registry office does not examine the deeds or guarantee their legality. Any person dealing in the land, then, will have to search the documents and determine the status of the land.

3. The Torrens System -- A government office has custody of all original land titles and all original documents registered against them. Government staff examine and register the documents and issue the titles. The government then guarantees the accuracy of the titles.

The principles of the Torrens System are as follows:

The Mirror Principle -- This refers to the "register" or certificate of title which supposedly reflects accurately and completely the current facts about a person's title. It does not provide for facts or changes that could be registered but which are not. In other words, a title is free of adverse claims or burdens unless they are mentioned on the title. In practice, this mirror principle cannot be absolutely reliable, as there are certain public rights and burdens which do affect a person's title even though they are not reflected in the title. Public rights and burdens include the right of expropriation by certain authorities, unpaid taxes, a title or right gained by fraud and certain rights or burdens granted by legislation even though no notice appears on the title.

The Curtain Principle -- This means that the current certificate of title contains all the information about the title. Thus, a potential purchaser does not need to be concerned about dealings on any prior title. Therefore, a historical search to verify that the title is good is unnecessary. Here again, this principle is not always applied and historical or "chain" searches are made in certain circumstances.

The Insurance Principle -- This provides compensation for loss of rights. The principle is that the register must reflect the absolutely correct status of the land. If, through human error, a flaw appears and anyone suffers a loss, it is made right so far as money is able to compensate.

The Torrens System has been in use in Alberta since 1887. An Assurance Fund has been established to provide compensation to anyone deprived as a result of errors by the Land Titles Office.

Title Creation

Legal documents, such as notifications and transfers, authorize the Land Titles Office to issue certificates of title to land. These are typed in triplicate, with the original certificate of title being kept in the Land Titles Office and the Duplicate Certificate of Title (or D.C.T.) being issued to the owner of the land (unless it is mortgaged, in which case the duplicate certificate is not released until the mortgage is discharged). The third copy, a yellow sheet called "Land Titles Changes," is forwarded to the appropriate municipal authority to update its taxation records.

Under the old "Book" system, certificates of title were large pages bound in books of 250 pages each. Document registrations which affected these titles were noted by rubber-stamped and hand-written "memorials" on their fronts and backs.

Under the new "Loose Title" system, legal-size certificates of title are issued in typed form. All registrations are recorded on the reverse side -- charges against the land to the left of a vertical line and discharges to the immediate right. These titles are white if they include either surface only or both surface and minerals; they are yellow if they include minerals only. Whenever possible and practical, separate titles are issued for surface only and minerals only. Also, the amount of land included in any one title is restricted to manageable units -- a maximum of one section for unsubdivided land, one condominium unit or, usually, only one lot in the case of subdivided land. Titles are not normally issued for land -- either surface or minerals --which is owned by the Crown. Once the Crown has granted a parcel of land to someone, it becomes known as freehold land, and a certificate of title is issued in the name of the new owner. In most cases, each title is given its own individual title folder. The folder is color-coded to reflect the legal description of the title and is filed accordingly on open shelves.

CANADA

LEASEHOLD

Certificate of Title

NUMBER 832211831

REFERENCE 832208640

CONSIDERATION $ 300,000

North Alberta Land Registration District

THIS IS TO CERTIFY that PETER HOMESTEADER AND JANET HOMESTEADER, BOTH OF 1507 - 14 AVENUE, GIBBONS, ALBERTA.

is/are now the owner(s) of [redacted] A LEASEHOLD ESTATE FOR A TERM OF 35 YEARS COMMENCING ON SEPTEMBER 1, 1983. - AS JOINT TENANTS.

of and in

PLAN GIBBONS 822 0690
BLOCK 33
LOT 78
(N.E. 3 6 S.E. 10-56-23-4)

EXCEPTING THEREOUT ALL MINES AND MINERALS.

SUBJECT TO THE ENCUMBRANCES, LIENS AND INTERESTS NOTIFIED BY MEMORANDUM UNDERWRITTEN OR ENDORSED HEREON, OR WHICH MAY HEREAFTER BE MADE IN THE REGISTER.

In witness whereof I have subscribed my name and affixed my official seal this

1ST day of SEPT., 19 83

.....
A.D. Registrar
North Alberta Land Registration District

A.S. 1555 (REV. 1985-05)

Front of New Format Title

Certificate of Title

LAND 822 0690, BLK 33, LOT 78 LEASEHOLD
NAME PETER HOMESTEADER ET AL
NUMBER 832211831

ENCUMBRANCES, LIENS & INTERESTS				DISCHARGES & WITHDRAWALS		
Registration Number	Date of Registration (D/M/Y)	Particulars	Signature of A.O. Registrar	Registration Number	Date of Registration (D/M/Y)	Signature of A.O. Registrar
832152589	27 . 6 . 83	MORTGAGE $240,000 TO THE BANK OF NOVA SCOTIA C/O 240 - 8TH AVENUE, S.W. CALGARY, ALTA., T2P 2N7		832213380	2 . 9 . 83	
832211832	1 . 9 . 83	MORTGAGE TO THE ROYAL BANK OF CANADA C/O 10107 - JASPER AVENUE, EDMONTON, ALTA., T5J 3W6				
832216387	7 . 9 . 83	CAVEAT BY THE ROYAL BANK OF CANADA (RE: SEE INSTR.) C/O 10107 - JASPER AVENUE, EDMONTON, ALTA., T5J 3W6				

Back of New Format Title

Certificate of Title

LAND 822 0690, BLK 33, LOT 78 LEASEHOLD
NAME PETER HOMESTEADER ET AL
NUMBER 832211831

Leasehold

MEMO	Patent	

PLAN 82 2 0690
BLOCK 33
LOT 78
PORTION 1

Title Folder

Title Filing

The color-coded numbers running from top to bottom of the title folders give, from largest unit down to smallest unit, the legal description of the land shown on the title. Title folders for unsubdivided land are coded to show the meridian first, followed by the range, township, section, quarter-section and portion (a minus sign in the portion box indicates that the title contains less than a full quarter-section, a plus sign signifies more than a full quarter-section and a combination of a plus and minus shows that there is less than the full quarter-section plus some additional land from another quarter-section). Title folders for subdivided land are coded to show plan first, then block, lot and portion. Titles for rural (unsubdivided) land are grouped according to meridian down through range, township and section. Titles for subdivided land are filed in a similar manner, with the primary grouping being the plan number, the secondary grouping being the block number and so on. Book titles which have been cancelled are filed by title number in the old title books while "loose" titles are microfilmed after cancellation, filed by date of cancellation and then fowarded to the Government Records Centre for storage.

Direct Registration (Team) System

A person wishing to have land-related documents registered fills out a Document Registration Request form. The registrant submits this form, along with the documents, to the Land Titles Office. A registration fee may be paid by cash or cheque or by charge to an established customer account. Then, in the order in which they are received, the documents are forwarded to registration teams for processing.

These teams, consisting of three land titles examiners and two clerk typists or titlewriters, do the registration. They compare the documents to the appropriate titles, then they do a legal examination to make sure that the documents are correct and in compliance with the many statutes affecting land transactions. They confirm the fees for the services to be performed and may have to check the General Register to ensure that no writs, orders or other restrictions exist that might prevent registration of the documents. If restrictions are found against a name which is the same as, or similar to, that of the person selling, leasing or mortgaging the land, the documents are rejected. If there are no restrictions and if the documents are otherwise registrable, they are date-stamped and assigned a nine-digit registration number. The first two digits of the registration number indicate the year, the third digit indicates the office number and the last six digits indicate the order in which the registration was done (for example, registration number 772000099 was the ninety-ninth registration by Edmonton Land Titles Office in 1977). This number establishes the priority of a document over another document given a higher number.

The clerk typist or titlewriter then either endorses the appropriate title with brief registration details or cancels the title and creates a new one, depending on the type of registration. If the document registration is one which causes one or more titles to be created, the title number of each will be the same as the registration number. For the second and subsequent title, however, the title number will also have a letter as a suffix. After being typed, the title is given a final examination and is signed. If any photocopies or certificates have been requested, they are made, then the title is sent to the Microfilm Lab to be microfilmed. The registered documents, after having been sorted into registration number sequence, are also sent to the Microfilm Lab. The top two pages of the Document Registration Request form are removed and retained, with the "Register" page forwarded to the Microfilm Lab and the other page forwarded to Accounts for posting. All customer copies of documents, registration advice forms and any title photocopies or certificates are returned to the registrant. Except in the case of survey or mineral documents, the time for this entire process is now usually less than 24 hours.

Alberta
ATTORNEY GENERAL

DOCUMENT REGISTRATION REQUEST

LAND TITLES OFFICE

☐ ☒

NAME: A. Lawyer
ADDRESS: 1201 Century Place
Edmonton
POSTAL CODE: T5J 2T1
TELEPHONE: 422-4983
TO (SMALL): 199
ACCOUNT NUMBER: 0102 - 3456
DATE: April 17, 1985
SIGNATURE: A. Lawyer

CUSTOMER'S SPECIAL INSTRUCTIONS AND LEGAL DESCRIPTION

CLIENT'S FILE NO: 8988 DM

Register subject only to last encumbrance being 782050315
Plan 7820951
Block 4
Lot 2
☒ D.C.T. ENCLOSED —PLEASE RETURN—

	DOCUMENTS IN ORDER OF PRIORITY	EXTRA TITLES/ REPS	REGISTRATION FEES	OTHER SERVICES DESCRIPTION	OTHER SERVICES FEES	REGISTRATION NUMBER
1	Transfer		$ 21 00		$	1 852 082 581
2	Mortgage to Bank of Nova Scotia		36 00			2 852 082 582
3	Mortgage to ABC Holdings		10 00	G.R. C.C.T.	3 00 2 00	3 852 082 583
4						4
5						5

L.T.O. USE ONLY

SUB-TOTAL $ 67 00

SUB-TOTAL $ 5 00

TOTAL FEES $ 72 00

☐ D.C.T. Enclosed
☒ D.C.T. Not Enclosed

April 18, 19 85

A.D. Registrar

REASONS FOR REJECTION

PLEASE RE-SUBMIT DOCUMENTS WITH THIS FORM AND ☐ Duplicate Certificate of Title ☐ Registration Fee

☐ 1. Require $ _____ for registration
☐ 2. Require duplicate certificate of title
☐ 3. Require foreign ownership of land declaration
☐ 4. Require address for _____
☐ 5. Incorrect legal description
☐ 6. Require evidence re infants (section 138, Land Titles Act)
☐ 7. Caveat must claim an interest in land
☐ 8. Caveat must state nature of interest claimed and grounds on which claim is founded (section 131, Land Titles Act)
☐ 9. Title also subject to _____
☐ 10. General Register search reveals attached registrations
☐ 11. Require discharge of tax notification or consent of taxing authority
☐ 12. Sign, seal, swear, complete or correct _____

13. Comments and other reasons for rejection

A.D. Registrar

Team # _____

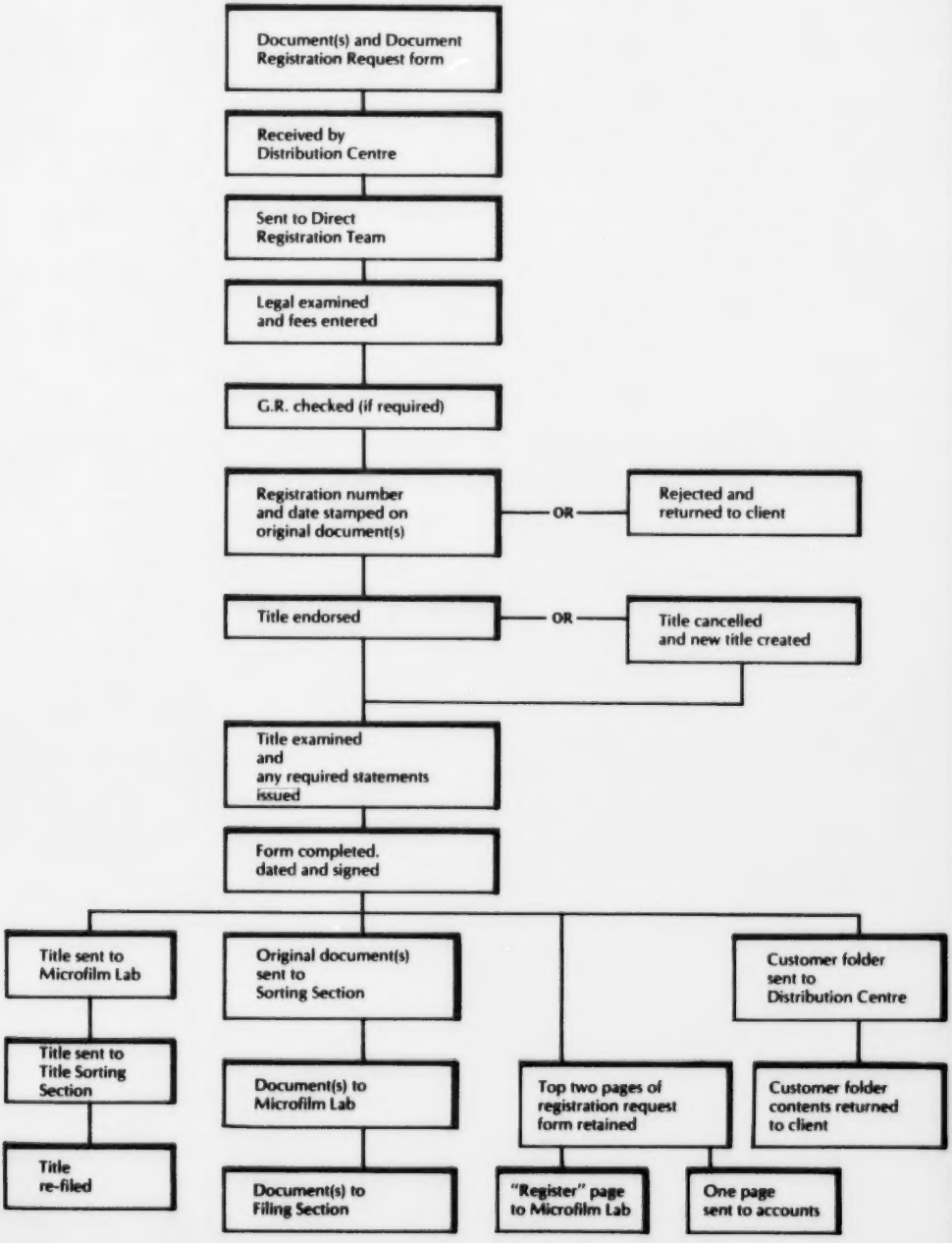
_____, 19 ____

A.G. 1844(Rev. Nov/84)

REGISTER

Completed Document Registration Request

Document Flow Chart


Document(s) and Document Registration Request form
Received by Distribution Centre
Sent to Direct Registration Team
Legal examined and fees entered
G.R. checked (if required)
Registration number and date stamped on original document(s)
OR
Rejected and returned to client
Title endorsed
OR
Title cancelled and new title created
Title examined and any required statements issued
Form completed. dated and signed
Title sent to Microfilm Lab
Title sent to Title Sorting Section
Title re-filed
Original document(s) sent to Sorting Section
Document(s) to Microfilm Lab
Document(s) to Filing Section
Top two pages of registration request form retained
"Register" page to Microfilm Lab
One page sent to accounts
Customer folder sent to Distribution Centre
Customer folder contents returned to client

Searches and Other Services

Most records at the Land Titles Office are classed as public records and may be searched by anyone. In actual practice, search requests are normally filled by issuing photocopies of the records concerned after a Service Request form has been completed and the prescribed fee has been received or charged to the customer's account.

Titles -- Searchers must quote the legal description of the land. A photocopy of the current "live" title is issued. The photocopy can be certified for an additional fee. For customers wanting historical searches, cancelled titles can be located by referring either to the reference certificate or title numbers or to the legal description, depending on when the titles were cancelled. Microfiche or microfilm prints of them can then be issued. In doing historical searches, it must always be remembered that the description or status of a parcel of land is subject to change when a survey plan of it has been registered.

Documents -- Searchers must quote the registration number of the document. Usually they know this from having seen it endorsed on the title. For registered documents which have been microfilmed, prints are issued to searchers. Photocopies are issued for those which have not been filmed.

The Register -- Microfilm prints are provided to searchers of the "Register" page of Document Registration Request forms or the old Daybook Registers.

Plans -- Ozalid (paper) or mylar copies of survey plans are available to plan-searchers. Plans may also be loaned to Alberta Land Surveyors who wish to make their own copies.

General Register -- The card file called the General Register is a record of all "live" writs, judge's orders, Workers' Compensation Board assessment liens and certificates of mental incompetence. A search of a name in the register results in either a "clear" counter slip or photocopies of the applicable cards. On request, a General Registration Certificate may be issued to certify that a name is clear of any decrees, orders or executions.

Search requests must be submitted in person or by mail, except for out-of-town clients with established Land Titles Office accounts who may also search via telephone or TWX.

Alberta
ATTORNEY GENERAL

SERVICE REQUEST

LAND TITLES OFFICE

AS 1040 (JAN./84)

☐ BOX 7575 CALGARY, ALBERTA T2P 2H4

☒ BOX 2699 EDMONTON, ALBERTA T5J 2T3

NAME				P.O. BOX	ACCOUNT NUMBER	CASH
A. Lawyer				199	0102 - 3456	
ADDRESS				MAIL	DATE	
1201 Century Place					June 1, 1982	
Edmonton	POSTAL CODE T5J 2T1	TELEPHONE 422-4963		SIGNATURE	A. Lawyer	

QTY.	CODE	DESCRIPTION	FEES	
1	41	Plan 2461 T.R., Block 2, Lot 7	1	00
1	43	on Registered Owners	2	00

TYPE OF SERVICE (CODES)
41. TITLE — COPY
42. TITLE — CERTIFIED COPY
43. G.R. NAME SEARCH
44. G.R. CERTIFICATE
45. DOCUMENT — COPY
46. DOCUMENT — CERTIFIED COPY
47. TYPE - SEARCH
48. PHONE — SEARCH
49. PLAN - COPY
50. PLAN - CERTIFIED COPY
51. MISCELLANEOUS SERVICES

FOR CUSTOMER USE ONLY

CLIENT J. Blow

FILE NO. 4776 JB SEARCHED BY Jane

RE C.I.B.C.

TOTAL FEES 3 00

$385692

L.T.O. STAMP DETAILS R.S.5.

Completed Service Request Form

Microfilming

Microfilming has a dual function at the Land Titles Offices: it provides security and permits rapid searching of titles, documents and other records. For every roll of film produced, a duplicate copy is made and sent to a secure and remote location, available to re-create any records in the event of a Land Titles Office disaster. The other copy of the microfilm is retained in the office for searching purposes. Documents and Registration Request forms may be searched by registration number in cartridge or roll reader/printers. Cancelled titles may be searched by legal description in microfiche records or by title number in microfilm records.

Microfilm Cartridge Viewer/Printer

Summary

Land ownership is highly prized. It is natural that people dealing in land should want their transactions processed quickly and accurately. It is also reasonable for them to expect searches of land records to be provided to them without delay.

In recent years, many improvements have been made to the services provided by the Alberta Land Titles Offices, resulting in faster service, more legible and accurate records and greater security for titles and documents. As more improvements become possible, they will be made. The goal is to provide a level of service which cannot be surpassed.

Glossary of Common Conveyancing Terms

Access — The right or privilege of approach to land over other land.

Administrator — A person appointed by the court to administer the estate of a deceased person.

Affidavit — A written statement signed and sworn before a person having authority to administer an oath.

Assignment — A transfer to a trustee for the benefit of creditors.

Assurance Fund — A fund to compensate any person for loss or damage where that person has been deprived of land as a result of the operation of the Land Titles Act.

Beneficiary — The person having the beneficial enjoyment of property of which another person, usually an executor, administrator or trustee, has the legal title or possession.

Bona Fide Purchaser for Value — A purchaser who in good faith has purchased an interest in land for good and valuable consideration.

Caveat — From the Latin word meaning "Let him beware." It is a registrable document containing a warning or caution that there are persons, other than the registered owner, claiming an interest in the land.

Charge — See Encumbrance.

Condominium Title — A title to space in a building or parcel of land which recognizes the space in a unit or parcel and the share in the commmon property of the condominium.

Consideration — The amount actually paid for something (not necessarily the same as its value).

Conveyance	A document which transfers property from one person to another.
Corporation	A company registered under the Alberta Companies Act or Business Corporations Act.
Crown Land	Land owned by the Crown (government).
Dower	A spouse's life estate and other rights in a homestead (see Homestead).
Easement	A right acquired by one person from another, permitting use of the other's land for a purpose such as a right-of-way across it.
Encumbrance	Any charge on land created or effected according to law for any purpose inclusive of mortgage, encumbrance or builders' lien.
Estate in Land	The nature of the interest of an owner with regard to his land, which may be fee simple or a leasehold or life estate.
Execution of Instruments (Documents)	The signing, sealing and delivery of documents by the parties as their own acts and deeds, usually in the presence of witnesses.
Executor	The person named in someone's will to carry out the provisions of the will, including the disposition of property.
Fee Simple	The most comprehensive kind of ownership in land.
Foreclosure	An action in Court taken after a breach of the conditions of the mortgage, usually the failure to repay the mortgage debt. The mortgagor must redeem the pledges in the mortgage or the Court must extinguish the mortgagor's right to redeem (called the equity of redemption) and offer the property for sale under process of law.
Freehold Land	Land not owned by the Crown (government).
Grant	Conveyance or transfer of ownership of land, usually from the Crown.

Homestead

A parcel of land
(a) on which the dwelling house occupied by the owner of the parcel as his residence is situated, and
(b) that consists of
  (i) not more than four adjoining lots in one block in a city, town or village as shown on a plan duly registered in the proper Land Titles Office, or
  (ii) not more than one quarter-section of land other than land in a city, town or village.

Indefeasible

That which cannot be lost or taken except by operation of law.

Instrument

Document, such as a transfer, mortgage, plan, certificate of title, etc.

Interest in Land

A right of ownership in land or in an encumbrance against it, such as a mortgage.

Joint Tenancy

The interests of two or more persons who own property jointly with a right of survivorship. When only one survivor remains, the joint tenancy ceases.

Judgement

Decree or order of a Court.

Lease

A grant of an interest in land by a lessor to a lessee for a specified period of time.

Legal Description

The description of land that for unsubdivided land gives number of section, township, range and meridian and that for subdivided land gives lot, block and plan number of unit and plan number. Municipal addresses quoting streets or avenues are not legal descriptions.

Lien

A charge on property for the satisfaction of some debt or duty ordinarily arising under a contract or by operation of law.

Life Estate

An estate during a person's life, ending on that person's death.

Lis Pendens

A notice of a pending Court action.

Memorandum

Endorsement on a title, showing registration details.

Merging

The joining of two or more estates or interests when the same person acquires both a greater and a lesser interest without an intervening interest and that person indicates that the lesser interest should be extinguished by being merged in the greater interest.

Metes and Bounds

A description of land by measurements, bearings and boundaries.

Mortgage

A document executed between a borrower of money (mortgagor) and a lender (mortgagee) in which the borrower's land is pledged as security for the loan.

Notification

See Grant.

Parcel

A specified area of land.

Party Wall

A common wall between two properties that normally belong to different owners.

Patent

See Grant.

Power of Attorney

A document giving one person legal power to act for the person making the document.

Probate

An authorization granted by the Court to an executor stating that a will has been proved and that administration is granted.

Public Lands

See Crown Land.

Registration

Means

(a) the bringing of land under the provisions of the Land Titles Act,

(b) the entering on the certificate of title of a memorandum authorized by the Act of any document and

(c) the entering in the proper register of any instrument or caveat authorized to be registered, where the memorandum need not be entered on a certificate of title.

Restrictive Covenant

A contractual restriction on the use of certain land for the benefit of other land.

Statutory Declaration

A written statement of facts signed by the maker and declared to be true before a commissioner or notary public.

Subdivision Plan	A plan based on a survey dividing land into two or more parcels.
Surrender of Lease	Giving up a lease before the expiration of its term.
Tenancy in Common	The interests of two or more persons who own property jointly without the right of survivorship.
Transfer	The conveyance of an estate or interest in land from one party to another, whether for valuable consideration or otherwise.
Transmission	An instrument directing a change of ownership consequent on death, mental incapacity, sale under execution, order of a Court or other act of law, sale for arrears of taxes or settlement of any legal succession in case of intestacy.
Trust	The relationship under which one person, called the trustee, holds property on behalf of and for the benefit of another, called the beneficiary.
Undivided Interest	The interest of a tenant in common.
Writ of Execution	An instrument, issued by the sheriff's office, which is a charge on all land owned or acquired by the execution debtor and, unless renewed, expires in six years from date of registration in the Land Titles Office.